

Applicant : Klaus Cichutek et al.
Serial No. : 09/380,324
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Page : 3

Attorney's Docket No. 11692-002001 / 158-1 US

REMARKS

Applicants hereby submit that the enclosures fulfill the requirements under 37 C.F.R. §1.821-1.825. The amendments in the specification merely insert sequence identifiers in the specification and replace the original Sequence Listing with an amended substitute Sequence Listing. The substitute Sequence Listing contains the amino acid sequences disclosed in Figure 10. No new matter has been added.


Attached hereto is a marked-up version of the changes made to the specification by the current amendment.

Please apply any charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 11692-002001.

Respectfully submitted,

Date: _____

5/9/02

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“Version With Markings to Show Changes Made”

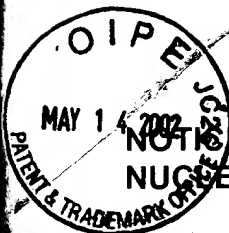
In the specification:

Paragraph beginning at page 6, line 23, has been amended as follows:

Figure 8 shows the nucleic acid sequences of the oligonucleotides used for the cloning of the SIVagm3 *env* expression constructs (top to bottom SEQ ID NOs:1-12). The nucleic acid sequences of the restriction sites are underlined.

Paragraph beginning at page 6, line 29, has been amended as follows:

Figure 10 shows the amino acid sequences of the intracellular domains of the gene products of the SIVagm3 derived *env*-constructs. The sequences of the SIVagm3 (SEQ ID NOs:13-18) and MLV (SEQ ID NOs:19 and 20) are given for comparison. The amino acids are indicated in the one letter code. Amino acid residues derived from MLV are underlined. The numbers in the designation of the constructs indicate the N-terminal amino acid moieties following the transmembrane region before the stop codons inserted by recombinant PCR. Due to the insertion of a Not I-restriction site two or three amino acids are generated that do not occur in the native SIVagm3 sequence. These amino acid moieties are typed in bold letters. “...” designates amino acid moieties of SIVagm3 that are not indicated in detail. “*” indicates the C-terminus of the proteins. The length of the intracellular domains is indicated. “aa” stands for amino acid moieties. “TMR” stands for transmembrane region. The designation “*MLV*” stands for the 3'-inserted sequences derived from MLV *env* gene. The inserted C-termini of MLV contain the so called p2-protein (consisting of 16 aa) that is intracellularly cleaved by proteolysis before the envelope proteins are incorporated into the virions.



NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 14 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure of paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: Applicants response was incomplete. The amendment did not contain new SEQ ID NOs for the sequences recited in the claims, nor a CRF diskette.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☐ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

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